

## REMARKS

The following remarks are fully and completely responsive to the Office Action dated August 1, 2003. Claims 1-18 are pending in this application. In the outstanding Office Action, claims 1, 2, claims 5 and 6 (as they depend from claims 1 or 2), claims 7, 8, claims 11 and 12 (as they depend from claims 7 or 8), claims 13 and 14 and claims 17 and 18 (as they depend from 13 or 14) were rejected under 35 U.S.C. § 103(a) (four different rejections). Claims 3, 4, 9, 10, 15 and 16 were acknowledged as containing allowable subject matter. Claims 5 and 6 (as they depend from claims 3 or 4), claims 11 and 12 (as they depend from claims 9 and 10) and claims 17 and 18 (as they depend from claims 15 or 16) were also indicated as containing allowable subject matter. No new matter has been entered. Claims 1-18 are presented for consideration.

### **35 U.S.C. § 103(a)**

Claims 1, 7 and 13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Everhart (U.S. Patent No. 6,230,138) in view of Valve (U.S. Patent No. 6,449,593).

Claims 2, 8 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Everhart in view of Valve and further in view of Fedele (U.S. Patent No. 4,627,091).

Claims 5, 11 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Everhart, Valve and Fedele as applied to claims 1, 2, 7, 8, 13 and 14 above, and further in view of Bowen (U.S. Patent No. 5,561,737).

Claims 6, 12 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Everhart in view of Valve and further in view of Fedele.

In making these rejections, the Office Action asserts that the combination of these references teaches and/or suggests each and every element of the claimed invention. The Office Action also asserts that it would be obvious to one of ordinary skill in the art to combine these references.

The present application claims priority from Japanese Patent Application No. 11-246393 filed on August 31, 1999. Enclosed is a verified translation to perfect Applicant's priority date of August 31, 1999.

Applicant's priority date is prior to the filing date of Valve (U.S. Patent No. 6,449,593), which was filed January 13, 2000 and before the filing date of Everhart (U.S. Patent No. 6,230,138), which was filed June 28, 2000. Accordingly, Applicant has removed both Everhart and Valve as prior art references by perfecting the August 31, 1999 priority date.

Since both Valve and Everhart have been removed as prior art references, Applicant respectfully requests reconsideration and withdrawal of the rejections of claims 1, 2, 5-8, 11-14, 17 and 18 under 35 U.S.C. § 103(a).

### **Allowable Subject Matter**

The Office Action stated that claims 3, 4, 9, 10, 15 and 16 contained allowable subject matter but were objected to as being dependent upon a rejected base claim. The Office Action also stated that claims 5 and 6 (as they depend from claims 3 or 4), claims 11 and 12 (as they depend from claims 7 or 8 (it appears that this is a

typographical error and the Office Action intended to state claims 9 or 10)) and claims 17 and 18 (as they depend from claims 15 or 16) also contained allowable subject matter but were objected to as being dependent upon a rejected base claim. As discussed above, Applicant has removed Valve and Everhart as prior art references, thus overcoming the rejection of the claims from which these claims depend. Therefore, Applicant requests reconsideration and withdrawal of the objection to these claims.

## **Conclusion**

Applicant's remarks and verified translation have overcome the objections and rejections set forth in the Office Action dated August 1, 2003. Applicant's filing of a verified translation removes Valve and Everhart as prior art references, thus overcoming the rejection of claims 1, 2, claims 5 and 6 (as they depend from claims 1 or 2), claims 7, 8, claims 11 and 12 (as they depend from claims 7 or 8), claims 13, 14, and claims 17 and 18 (as dependent on claims 13 or 14). Claims 3, 4, 9, 10, 15 and 16 were acknowledged as containing allowable subject matter. Claims 5 and 6 (as they depend from claims 3 or 4), claims 11 and 12 (as they depend from claims 9 or 10) and claims 17 and 18 (as they depend from claims 15 or 16) were also acknowledged as containing allowable subject matter. Accordingly, claims 1-18 are in condition for allowance. Therefore, Applicant respectfully requests consideration and allowance of claims 1-18.

Applicant submits that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicant respectfully requests that the Examiner contact the undersigned attorney by telephone if it is believed that such contact will expedite the prosecution of the application.

The Commissioner is authorized to charge payment for any additional fees which may be required with respect to this paper to our Deposit Account No. 01-2300, making reference to attorney docket number 107156-00019.

Respectfully submitted,

~~Rustan J. HN~~  
Registration No. 37,351

Customer No. 004372  
AREN'T FOX KINTNER PLOTKIN & KAHN, PLLC  
1050 Connecticut Avenue, N.W.,  
Suite 400  
Washington, D.C. 20036-5339  
Tel: (202) 857-6000  
Fax: (202) 638-4810

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Enclosure: Verified Translation

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